

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Moritz Bünemann et al.

Serial No.: 10/538,985

Filed: June 15, 2005

For: MILLISECOND ACTIVATION SWITCH  
FOR SEVEN-TRANSMEMBRANE  
PROTEINS

Group Art Unit: Not Yet Assigned

Examiner: Unknown

Atty. Dkt. No.: VOSS:008US

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.  
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

**MS PCT**

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), dated April 24, 2006, there are enclosed herewith:

- (a) Declaration executed on behalf of Moritz BÜNNEMANN; Jean-Pierre VILARDAGA; Carsten HOFFMANN; Martin Johannes LOHSE;
- (b) A Power of Attorney on behalf of JULIUS-MAXIMILIANS-UNIVERSITÄT WÜRZBURG;
- (c) Our check in the amount of \$290.00 to cover the surcharge for late filing \$65.00; two month extension of time fee \$225.00;

- (d) A copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US); and
- (e) A Request for Extension of Time of two months to and including August 24, 2006. Should such request be absent, consider this such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 as stated below.

The Assignment to JULIUS-MAXIMILIANS-UNIVERSITÄT WÜRZBURG has been filed with the USPTO via EPAS.

Based on our information, this application is entitled to small entity status pursuant to 37 C.F.R. § 1.27. Therefore, we have made such an assertion at the time of filing this application, and small entity fees will be paid accordingly.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included, the Commissioner is authorized to deduct or credit the appropriate fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/VOSS:008US.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'D. Parker', written over the text 'Respectfully submitted,'.

David L. Parker  
Reg. No. 32,165  
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 474-5201

Date: August 18, 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/538,985	FIRST NAMED APPLICANT Patrick Bauerle	ATTY. DOCKET NO. VOSS:008US
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32425  
FULBRIGHT & JAWORSKI L.L.P.  
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SUITE 2400  
AUSTIN, TX 78701

INTERNATIONAL APPLICATION NO. PCT/EP03/14679	
I.A. FILING DATE 12/19/2003	PRIORITY DATE 12/20/2002

CONFIRMATION NO. 2063  
371 FORMALITIES LETTER



\*OC000000018599149\*

Date Mailed: 04/24/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/15/2005
- Copy of the International Search Report filed on 06/15/2005
- Preliminary Amendments filed on 12/16/2005
- Biochemical Sequence Diskette filed on 06/15/2005
- Biochemical Sequence Listing filed on 06/15/2005
- Small Entity Statement filed on 06/15/2005
- Copy of references cited in ISR filed on 06/15/2005
- U.S. Basic National Fees filed on 06/15/2005
- Priority Documents filed on 06/15/2005

FULBRIGHT & JAWORSKI, LLP  
IPT DOCKETING  
Docketed ☒ Not Req'd ☐ Confirmation ☐  
Initials 1st *OK* Initials 2nd *OK*

MAY 01 2006

Attorney *OK* *mr*  
Docket No. *VOSS:008US*  
Action Req'd Date Due

*Missing parts due 6/24/06. Final 11/24/06.*

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

FULBRIGHT & JAWORSKI LLP  
AUSTIN, TEXAS

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

MAY 02 2006

RECEIVED

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/538,985	PCT/EP03/14679	VOSS:008US

FORM PCT/DO/EO/905 (371 Formalities Notice)